

REMARKS

The application has been amended and is believed to be in condition for allowance.

Previous claims 1-6 have been amended only as to form.

New claims 7-14 recite the invention detailing certain features thereof.

The abstract has been amended as to form.

Claims 1-6 stand rejected as obvious over FUKASAWA 6,615,363, in view of ARAMAKI et al. (JP 10-144,011).

As acknowledged by the Official Action, FUKASAWA only discloses a conventional information recording apparatus and fails to disclose the confirming device for confirming recordings to the UTOC area. More specifically, it is acknowledged that this reference fails to teach a Table of Contents area comprising plural clusters written to by a recording device that confirms the successful recordation of each cluster before writing to a next one of the plural clusters.

The rejection does not offer a reference which makes such a teaching. Rather, the rejection offers ARAMAKI et al. which teach a structure which accomplishes step S2 of the present application Figure 5. That is, this secondary reference teaches the trial writing executed upon the first write-in after start-up.

Reference is made to the English-language abstract which states the problem being addressed by this secondary reference as needing to verify whether data writing is correctly performed while, at the same time, preventing a writing time from being extended and being able to restore disks having a broken-down TOC (Table of Contents). As noted by the reference, a verification memory 23 is controlled by the device CPU 11. Upon power on, or only at the first time of writing after disloading, TOC information or disk management information is stored to a memory, and then written by the disk drive to an area that is different from the normal writing area of the disk. The thus-written data is read and reproduced and stored in another memory. Thereafter, detection is made to verify the identify of these two memories to verify that the writing process is successfully performed.

More specifically, this procedure is detailed in paragraphs 0085-0087. See in paragraph 0085, that the test data is recorded to an area other than the usual write-in area of the disk; more specifically, the test writing is done to a calibration area 48 or a blank area 49.

Referring to paragraph 0086, after this writing, the thus-written data is reproduced and verified to be successfully written. If the test is successful, writing continues.

This is of course only a teaching of the prior art understanding that verification of proper disk writing is necessary at each start-up.

Note the explicit teaching that the testing is done in an area set aside for this purpose and not an area of normal use. Thus, if this ARAMAKI et al. reference is combined with FUKASAWA, one does a verification to an area set aside for that purpose and not an area as recited by the pending claims.

The references, taken either individually or in combination, do not teach writing to an actual content information recording area and, after each cluster writing, verifying the successful writing through a comparison prior to executing the next content information recording area cluster writing.

The present invention is a clear departure from that taught by either of the applied references. Therefore, one cannot say that the references teach that recited by the presently pending claims.

In view of the references, at most, teaching that a verification process can be carried out in an area of the disk different from the recording area in which the management or location information is normally recorded, the features of the application's independent claims are clearly not taught nor

suggested. Further, the features of the dependent claims are also believed to be non-obvious in their own right.

The applied references do not teach a repetitive testing after each location information writing. Rather, the references teach only to make a single test after each start-up and before each normal writing. Accordingly, there is no motivation to make these repeated testings, and to delay a subsequent cluster writing until the successful test of a prior cluster writing. In view of this, the dependent claims are also believed to be patentable.

Applicants respectfully request that the pending claims be reconsidered and allowance of the case be indicated.

Should there be any formal matters, it is requested that the undersigned attorney be contacted so that these can be quickly resolved and the case passed to allowance.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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